

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

|                     |   |                               |
|---------------------|---|-------------------------------|
| WILSON OCHAR,       | ) |                               |
|                     | ) |                               |
| Plaintiff,          | ) |                               |
|                     | ) |                               |
| v.                  | ) | Civil Action No. 1:24-cv-0926 |
|                     | ) |                               |
| LENTEGRITY, et al., | ) |                               |
|                     | ) |                               |
| Defendants.         | ) |                               |

ORDER

THIS MATTER comes before the Court on Defendant Merlex Auto Group's Motion to Dismiss or, in the Alternative, to Compel Arbitration; and Plaintiff Wilson Ochar's Motion to Dismiss Defendant's Motion to Dismiss. The Court construes Plaintiff's Motion as an opposition to Defendant Merlex Auto Group's Motion.

Plaintiff alleges Defendants charged him hidden fees and extra interest on an auto loan and refused to correct the billing error in violation of the Truth in Lending Act, Fair Credit Billing Act, and Va. Code Ann. § 6.2-2215. However, the retail installment sale contract made between Plaintiff and Defendant Merlex Auto Group contains an arbitration provision that allows for either party to choose to resolve any dispute by arbitration and not in court or by jury trial. It appearing to the Court that Defendant Merlex Auto Group is exercising its right to arbitrate the dispute

under the terms of the retail installment sale contract, it is hereby

ORDERED that Defendant Merlex Auto Group's Motion to Dismiss or, in the Alternative, to Compel Arbitration is GRANTED IN PART. This action is STAYED as to Defendant Merlex Auto Group pending resolution of Plaintiff's claims in arbitration. It is further

ORDERED that Plaintiff's Motion to Dismiss Defendant's Motion to Dismiss is DENIED.

  
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CLAUDE M. HILTON  
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia  
August 22, 2024